

68-21-2. Electronic reports. (a)(1) Each dispenser shall file a report with the board for ~~schedule II through IV drugs~~ scheduled substances, as defined in K.S.A. 65-1682(g) and amendments thereto, and any drugs of concern dispensed in this state or to an address in this state. ~~On and after January 1, 2013,~~ This report shall be submitted within 24 hours of the time that the substance is dispensed, unless the board grants an extension as specified in subsection (d). ~~Before January 1, 2013, each dispenser shall submit the report within seven days of dispensing the substance.~~

(2) Each dispenser that does not dispense ~~schedule II through IV drugs~~ scheduled substances, as defined in K.S.A. 65-1682(g) and amendments thereto, or any drugs of concern in this state or to an address in this state during the reporting ~~periods~~ period specified in ~~this subsection~~ paragraph (a)(1) shall file a zero report with the board. Each zero report shall meet the following requirements:

(A) Cover not more than a seven-day period in which no such drugs were dispensed; and

(B) be filed the day following the end of the period covered by the zero report.

(b) In addition to the requirements of K.S.A. 65-1683 and amendments thereto, each dispenser shall submit the prescriber's name, the patient's telephone number, and the number of refills for the dispensed drug on the report to the board. As an alternative to reporting the dispenser identification number, any dispenser may report the pharmacy DEA number.

(c) Except as specified in K.A.R. 68-21-3, ~~the~~ each report required to be submitted pursuant to subsection (a) shall be submitted by secure file transfer protocol in the electronic format established by the American society for automation in pharmacy, dated no earlier than 2007, version 4, release 1.

ATTORNEY GENERAL

APR 25 2012

APPROVED BY: 

DEPT. OF ADMINISTRATION

APR 12 2012

APPROVED

(d) An extension may be granted by the board to a dispenser for the submission of a any report required to be submitted pursuant to subsection (a) if both of the following conditions are met:

(1)(A) The dispenser suffers a mechanical or electronic failure; or

(B) the dispenser cannot meet the deadline established by subsection (a) because of circumstances beyond the dispenser's control.

(2) The dispenser files a written application for extension on a form provided by the board within 24 hours of discovery of the circumstances necessitating the extension request or on the next day the board's administrative office is open for business.

(e) An extension for the filing of a report shall be granted to a dispenser if the board is unable to receive electronic reports submitted by the dispenser.

(f) Each dispenser that is registered or licensed to dispense ~~schedule II through IV drugs~~ scheduled substances, as defined in K.S.A. 65-1682(g) and amendments thereto, or any drugs of concern in this state or to an address in this state but does not dispense any of these drugs shall notify the board in writing that the dispenser will not be reporting to the board. If the dispenser begins dispensing ~~schedule II through IV drugs~~ scheduled substances, as defined in K.S.A. 65-1682(g) and amendments thereto, or any drugs of concern in this state or to an address in this state, the dispenser shall notify the board of this fact and shall begin submitting reports to the board pursuant to this regulation.

This regulation shall take effect 90 days after publication in the Kansas register.

(Authorized by K.S.A. 2009 2013 Supp. 65-1683 and 65-1692; implementing K.S.A. 2009 2013 Supp. 65-1683; effective Oct. 15, 2010; amended April 15, 2011; amended P-_____.)

DEPT. OF ADMINISTRATION

ATTORNEY GENERAL

OCT 29 2013

OCT 31 2013

APPROVED